

NOTICES OF RULEMAKING DOCKET OPENING

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF HEALTH SERVICES WAIVER PROGRAMS

[R05-366]

- 1. Title and its heading:** 9, Health Services
Chapter and its heading: 12, Department of Health Services – Waiver Programs
Article and its heading: 3, National Interest Waiver Program
Section numbers: R9-12-301 through R9-12-306 (As part of this rulemaking, the Department may add, delete, or modify additional Sections as necessary.)
- 2. The subject matter of the proposed rule:**
Consistent with the public interest in this state and with the statutory duty under A.R.S. § 36-104(16) to promote health care access in the state's underserved areas, the ADHS is making rules for national interest waiver-related matters, including the issuance or non-issuance of attestations for a national interest waiver application. As part of this rulemaking, the ADHS may add, delete, or modify additional Sections as necessary.

The ADHS published a Notice of Rulemaking Docket Opening at 10 A.A.R. 2084, May 21, 2004. Because the original docket opening was published more than one year ago, the ADHS is publishing a new Notice of Rulemaking Docket Opening.

The agency docket number, if applicable:
RE-019-05
- 3. A citation to all published notices relating to the proceeding:**
Notice of Rulemaking Docket Opening: 10 A.A.R. 2084, May 21, 2004
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Myriam Vega, Office Chief
Address: Arizona Department of Health Services
Division of Public Health Services
Office of Health Systems Development
1740 W. Adams, Room 410
Phoenix, AZ 85007

Telephone: (602) 542-1219
Fax: (602) 542-2011
E-mail: vegami@azdhs.gov
Or
Name: Kathleen Phillips, Rules Administrator
Address: Arizona Department of Health Services
Office of Administrative Rules
1740 W. Adams, Room 202
Phoenix, AZ 85007

Telephone: (602) 542-1264
Fax: (602) 364-1150
E-mail: phillik@azdhs.gov
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Written comments will be accepted at the locations listed in item #4 until the close of record, which has not yet been determined. The ADHS has not scheduled any oral proceedings at this time.

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6. A timetable for agency decisions or other action on the proceeding, if known:

To be announced in the Notice of Proposed Rulemaking

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**DEPARTMENT OF HEALTH SERVICES
HEALTH PROGRAMS SERVICES**

[R05-361]

1. Title and its heading:

9, Health Services

Chapter and its heading:

13, Department of Health Services – Health Programs Services

Article and its heading:

2, Newborn and Infant Screening

Section numbers:

R9-13-201 through R9-13-208 (The Department may add, delete, or modify additional sections as necessary.)

2. The subject matter of the proposed rule:

The purpose of this rulemaking is to implement the requirements of A.R.S. § 36-694, as amended by Laws 2005, Ch. 172. A.R.S. § 36-694 contains requirements for ordering tests for certain congenital disorders, and reporting congenital disorder test results and hearing test results to the Department, and establishes a newborn screening program, a central database for information about newborns and infants who are tested for hearing loss or congenital disorders, an educational program and follow-up services, and a newborn screening program committee. A.R.S. § 36-694 also contains requirements for contracting for the testing for congenital disorders and establishes fees for the operation of the newborn screening program. Current rules in 9 A.A.C. 13, Article 2, specify the congenital disorders being tested for, how a specimen is required to be collected from a newborn, who is responsible for collecting the specimen, educational program requirements and fees. The proposed changes will expand the number of tested congenital disorders; add requirements for reporting of hearing screening results; clarify requirements for collecting specimens and reporting newborn bloodspot screening test results; improve the organization, section headings, and syntax of the rules; and specify fees. All changes conform to rulemaking format and style requirements of the Governor's Regulatory Review Council and the Office of the Secretary of State. The Department may add, delete, or modify Sections as necessary.

The agency docket number, if applicable:

RE-016-05

3. A citation to all published notices relating to the proceeding:

None

4. The name and address of agency personnel with whom persons may communicate regarding the rule:

Name: Jan Kerrigan, RN, Program Manager

Address: Department of Health Services
Newborn Screening Program
150 N. 18th Ave., Suite 320
Phoenix, AZ 85007

Telephone: (602) 364-1409

Fax: (602) 364-1495

E-mail: kerrigj@azdhs.gov

Or

Name: Kathleen Phillips, Rules Administrator

Address: Department of Health Services
1740 W. Adams, Suite 202
Phoenix, AZ 85007

Telephone: (602) 542-1264

Fax: (602) 364-1150

E-mail: phillik@azdhs.gov

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:

The Department will accept written comments until close of the record, which has not yet been determined. The Department has not scheduled any oral proceedings at this time.

6. A timetable for agency decisions or other action on the proceeding, if known:

None

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NOTICE OF RULEMAKING DOCKET OPENING

**DEPARTMENT OF HEALTH SERVICES
LOCAL HEALTH DEPARTMENT SERVICES**

[R05-362]

- 1. Title and its heading:** 9, Health Services
Chapter and its heading: 18, Department of Health Services – Local Health Department Services
Article and its heading: 1, Per Capita Matching Funds
Section numbers: R9-18-101 through R9-18-107 (The Department may add, delete, or modify Sections as necessary.)
- 2. The subject matter of the proposed rule:**
A.R.S. § 36-189 authorizes the Arizona Department of Health Services (Department) to use funds “not otherwise appropriated to match funds provided by cities and counties to establish and maintain local health department services” and authorizes the Department to establish by rule reasonable terms that local health departments must meet in order to receive matching funds. The current rules became effective on April 22, 1988, and have not been amended. On the basis of the last five-year review of these rules, the Department is revising the Per Capita Matching Funds rules. The proposed changes will add definitions of undefined terms, establish consistent definitions for other terms, correct grammatical errors, clarify and simplify the application process, update the standards for personnel to make them consistent with current statutes, and conform to rulemaking format and style requirements of the Council and the Office of the Secretary of State. The Department may add, delete, or modify Sections as necessary.

The agency docket number, if applicable:
RE-018-05
- 3. A citation to all published notices relating to the proceeding:**
None
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name:	Carol Vack
Address:	Arizona Department of Health Services Local Health Liaison and Program Manager Preventive Health Block Grant 150 N. 18th Ave., Suite 300 Phoenix, AZ 85007
Telephone:	(602) 542-7395
Fax:	(602) 542-1265
E-mail:	vackc@azdhs.gov
Or	
Name:	Kathleen Phillips, Rules Administrator
Address:	Arizona Department of Health Services Office of Administrative Rules 1740 W. Adams, Suite 202 Phoenix, AZ 85007
Telephone:	(602) 542-1264
Fax:	(602) 364-1150
E-mail:	phillik@azdhs.gov
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
Written comments will be accepted at the addresses listed in item #4 until the close of record, which has not yet been determined. The Department has not scheduled any oral proceedings at this time.
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
To be announced in the Notice of Proposed Rulemaking

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NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ENVIRONMENTAL QUALITY

AIR POLLUTION CONTROL

[R05-367]

- 1. Title and its heading:** 18, Environmental Quality
Chapter and its heading: 2, Department of Environmental Quality – Air Pollution Control
Article and its heading: 17, State Program for Hazardous Air Pollutants
Section numbers: R18-2-1701 et seq. (As part of this rulemaking, the Department may add, delete, or modify additional Sections as necessary.)
- 2. The subject matter of the proposed rule:**
The Arizona Department of Environmental Quality is in the process of proposing rules to implement a state hazardous air pollutants program under A.R.S. §§ 49-426.05 and 49-426.06(A)(2).
- 3. A citation to all published notices relating to the proceeding:**
None
- 4. The name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Kevin Force
Address: 1110 W. Washington St.
Phoenix, AZ 85007
Telephone: (602) 771-4480
Fax: (602) 771-2366
- 5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**
To be announced in the Notice of Proposed Rulemaking
- 6. A timetable for agency decisions or other action on the proceeding, if known:**
To be announced in the Notice of Proposed Rulemaking